

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

FILED

2013 MAR 22 AM 8:25
CLERK, US DISTRICT COURT
WESTERN DISTRICT OF TEXAS

UNITED STATES OF AMERICA,

Plaintiff,

v.

JORGE ISAAC FLORES,

Defendant.

CRIMINAL NO.

INFORMATION

[VIO: Count One – Title 18 U.S.C.,
Sections 7(3) and 13, (Involving Section
49.04(a), Texas Penal Code – DWI)].

13mj 1315 RFC

THE UNITED STATES ATTORNEY CHARGES:

COUNT ONE

[18 U.S.C. 7(3) and 13 (Involving Section 49.04(a), Texas Penal Code)]

On or about February 28, 2013, in the Western District of Texas, and at a place within the special maritime and territorial jurisdiction of the United States as defined in Title 18, United States Code, Section 7(3), on land reserved and acquired for the use of the United States, to wit: Fort Bliss, Texas, the Defendant,

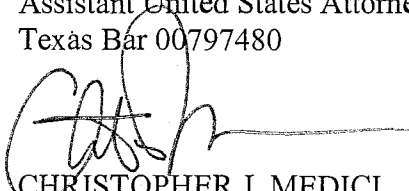
JORGE ISAAC FLORES,

did then and there drive and operate a motor vehicle in a public place while the said Defendant was intoxicated, namely: the Defendant did not have the normal use of his mental and physical faculties by reason of the introduction of alcohol into his body and the Defendant had an alcohol concentration of 0.08 or more in his body, in violation of Title 18, United States Code, Sections 7(3) and 13 (Involving Section 49.04(a), Texas Penal Code).

Respectfully submitted,

ROBERT PITMAN
United States Attorney

STEVEN SPITZER
Assistant United States Attorney
Texas Bar 00797480

By:  CHRISTOPHER J. MEDICI
Special Assistant United States Attorney
Building 13, Pershing Road
Fort Bliss, Texas 79916
915-568-5956
Texas Bar 24054563

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

JORGE ISAAC FLORES,

Defendant.

CRIMINAL NO. 13mj1315 RFC

RECEIVED
MAR 22 2013
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

[VIO: Count One – Title 18 U.S.C.,
Sections 7(3) and 13, (Involving Section
49.04(a), Texas Penal Code – DWI)].

AFFIDAVIT IN SUPPORT OF CRIMINAL INFORMATION

I, Master Sergeant Robert J. Brenckle, hereby declare under the penalty of perjury, pursuant to Title 28, United States Code, Section 1746, that:

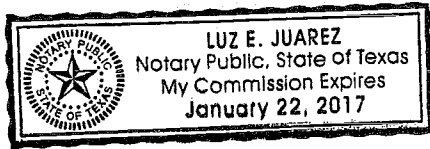
1. I am presently assigned as the Military Police Operations Sergeant in the Provost Marshal's Office at Fort Bliss, Texas. I have reviewed Military Police Report 00940-2013-MPC014, and the sworn statements made part thereof, and have derived the following facts there from:
2. At approximately 2:49 a.m. on February 28, 2013, while on patrol, Fort Bliss Military Police Sergeant (SGT) Garth Russell conducted a traffic stop on a red Pontiac G6, driven by the Defendant, **JORGE ISAAC FLORES**, that was traveling in excess of the posted speed limit westbound along Ellerthorpe Avenue adjacent to the Logan Shopette. Ellerthorpe Avenue and the Logan Shopette are located in the Western District of Texas, and at a place within the special maritime and territorial jurisdiction of the United States as defined in Title 18, United States Code, Section 7(3), on land reserved and acquired for the use of the United States, to wit: Fort Bliss, Texas.

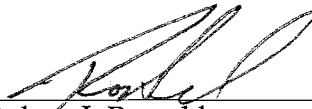
3. Upon making initial contact with the Defendant, SGT Russell detected the aroma of an unknown alcoholic beverage emanating from Defendant's vehicle. The passenger in the vehicle admitted to consuming alcohol. SGT Russell requested a traffic unit to assess the situation.

4. Military Police Officer Specialist (SPC) Thomas McCulley responded to the scene. SPC McCulley asked the Defendant where he was driving from and the Defendant responded that he and his passenger were at Dreams, a local nightclub. SPC McCulley asked the Defendant to submit to field sobriety testing, to which the Defendant consented. SPC McCulley administered the "walk and turn" test, the "one-leg stand" test, and the "finger-to-nose" test. He also administered a portable breathalyzer test (PBT). The tests were recorded on video. The results of these standardized field sobriety tests indicated that the Defendant was intoxicated.

5. The Defendant was then detained, advised of his rights, and transported to the Military Police Station. He was informed of the implied consent law and consented to a breathalyzer test at approximately 3:52 a.m., conducted on an Intoxilyzer5000 by Fort Bliss Military Police Corporal Andrew Day. The results of the test were a 0.138 breath alcohol concentration at 4:10 a.m. and a 0.138 breath alcohol concentration at 4:14 a.m. Defendant was later administratively processed and released.

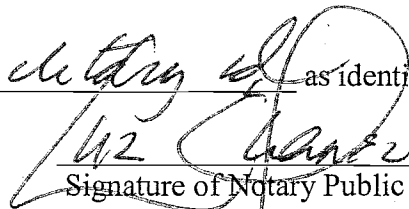
I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES OF AMERICA THAT THE FOREGOING IS TRUE AND CORRECT. EXECUTED THIS 21 DAY OF March, 2013.




Robert J. Brenckle
Master Sergeant, MP Operations

Sworn to (affirmed) and subscribed before me this 21 day of March 2013, by Robert J. Brenckle

_____ Personally known or ✓ Produced military ID as identification.


Signature of Notary Public

Probable cause found:

No probable cause found:

DATE: _____

UNITED STATES MAGISTRATE JUDGE